

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

KRAFT FOODS GLOBAL, INC., THE	)	
KELLOGG COMPANY, GENERAL	)	
MILLS, INC., and NESTLÉ USA,	)	
INC.,	)	
	)	No. 1:11-cv-08808
Plaintiffs,	)	
	)	Judge Charles P. Kocoras
v.	)	
	)	
UNITED EGG PRODUCERS, INC.,	)	
UNITED STATES EGG	)	
MARKETERS, INC., CAL-MAINE	)	
FOODS, INC., MICHAEL FOODS	)	
INC., and ROSE ACRE FARMS, INC.	)	
	)	
Defendants.	)	

**JOINT MOTION TO AMEND PRETRIAL SCHEDULE AND SET TRIAL DATE**

This is the third case to be tried out of an MDL that had been pending for many years in the Eastern District of Pennsylvania. Plaintiffs filed this case in this District in 2011 and, after being transferred for many years to the Eastern District of Pennsylvania for MDL proceedings, the case was assigned to the Honorable Judge Norgle in September 2019. (ECF No. 15). While there have been substantial pretrial filings in anticipation of the previously-set October 24, 2022 trial, Judge Norgle did not rule on any substantive motions.

On September 22, 2022, after the Court *sua sponte* vacated the previously-set October 24<sup>th</sup> trial date, the Court entered an order directing the Parties to submit an agreed date for trial or separate proposals if an agreement could not be reached. (ECF No. 217.) The Parties have conferred in good faith and jointly request a January 30, 2023 trial date. The Parties estimate that the trial will last five weeks. Based on

this five-week estimate, the Parties believe the trial will end on or before March 3, 2023. Of course, the Parties are available at the Court's convenience---and would welcome the opportunity---for a status hearing to discuss overall scheduling and pending substantive issues in this complex case.

Further, the Parties agree that there are a number of matters remaining for pretrial resolution, which should be set sufficiently in advance of the proposed trial date.

The Parties propose the following schedule for remaining pretrial matters should trial be set on January 30, 2023:

Parties file respective replies in support of <i>Santiago</i> proffer and motion to bifurcate	October 28, 2022
Oral argument on <i>Santiago</i> proffer, motion to bifurcate and motions <i>in limine</i>	November 3, 2022
Parties file pretrial order and proposed jury instructions	December 2, 2022
Oral argument on pretrial order	December 15, 2022

WHEREAS the Parties respectfully request this Court consider the above proposed schedules and set a status hearing at the Court's convenience.

Dated: October 6, 2022

Respectfully submitted:

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